

Panaji, 22nd April, 2021 (Vaisakha 2, 1943)

SERIES II No. 4

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There are four Extraordinary issues to the Official Gazette, Series II No. 3 dated 15-04-2021 as follows:—

- (1) *Extraordinary dated 15-04-2021 from pages 37 to 40 regarding Order from Department of Home.*
- (2) *Extraordinary (No. 2) dated 16-04-2021 from pages 41 to 42 regarding Notification from Department of Elections.*
- (3) *Extraordinary (No. 3) dated 20-04-2021 from pages 43 to 44 regarding Notifications from Department of Finance.*
- (4) *Extraordinary (No. 4) dated 21-04-2021 from pages 45 to 46 regarding Notification from Department of Finance & Order from Department of Home.*

GOVERNMENT OF GOA

Department of Agriculture
Directorate of Agriculture

Order

No. 8/15/2020-21/D.Agr/41

Read: Order 2020-11-Sanjivini/Misc/TSII/RCs (Part)/3415 dated 14-01-2021.

The transfer of Shri Chintamani B. Perni, Dy. Director of Agriculture (Hort.) in the above mentioned order is to be treated "as on deputation", initially for a period of one year w.e.f. 22-01-2021.

The deputation of Shri Chintamani B. Perni shall be governed by the standard terms and conditions of deputation as contained in O.M. No. 13-4-74-PER dated 12-02-1999 & 11-01-2007 and as amended from time to time.

This issues with the approval of Government vide Inward No. 2444 dated 06-04-2021.

By order and in the name of the Governor of Goa.

Nevil Alphonso, Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 9th April, 2021.

Department of Civil Supplies & Consumer Affairs

Notification

No. DCS/CC/Estt.SC/72/2020-21/05

In exercise of the powers conferred by Section 42 of the Consumer Protection Act, 2019 (35 of 2019), the Government of Goa, hereby establishes a "State Consumer Disputes Redressal Commission to be known as the State Commission" with effect from 20th July, 2020.

The President and every other number of the State Commission appointed immediately before the commencement of the Consumer Protection Act, 2019 shall continue to hold office as the President and Member of the National Commission as provided in Section 45 of the said Act.

By order and in the name of the Governor of Goa.

Siddhivinayak S. Naik, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).

Panaji, 9th April, 2021.

Notification

No. DCS/CC/Estt.SC/72/2020-21/06

In exercise of the powers conferred by Section 28 of the Consumer Protection Act, 2019 (35 of 2019), the Government of Goa, hereby establishes a "District Consumer Disputes Redressal Commission, North Goa" to be known as the "District Commission, North Goa" and "District Consumer Disputes Redressal Commission, South Goa" to be known as the "District Commission, South Goa" with effect from 20th July, 2020.

The President and every other number of the State Commission appointed immediately before the commencement of the Consumer Protection

Act, 2019 shall continue to hold office as the President and Member of the National Commission as provided in Section 31 of the said Act.

By order and in the name of the Governor of Goa.

Siddhivinayak S. Naik, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).

Panaji, 9th April, 2021.



Department of Education, Art & Culture

Goa College of Architecture



Order

No. Arch/RTI/2021/15

In exercise of the powers vested in me as the Head of the office, the following officers are appointed under Right to Information Act, 2005, for a period of 3 years.

- 1) Mr. Roy C. D'Souza, Associate Professor, as the Public Information Officer.
- 2) Mr. Sushilkumar G. Kamulkar, Lower Division Clerk, as the Assistant Public Information Officer.

This will come in force immediate effect from the date of issue of this order.

Dr. *Ashish K. Rege*, Professor & Principal.

Panaji, 19th April, 2021.



Department of General Administration



Notification

No. 2/1/2017-GAD-III/140

In pursuance of Section (12) read with Section (11) the Goa Municipalities Act, 1968 (Act No. 16 of 1968) and the 'Explanation' to Section 25 of the Negotiable Instrument Act, 1881 (Act 26 of 1881) read with the Notification No. U-11030/2/73-UTL dated 28-06-1973 of the Government of India, Ministry of Home Affairs, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), the Government of Goa hereby declares Friday, the 23rd April, 2021 (Vaisakha 3, Saka 1943) as a "paid holiday" being the "Polling Day" for General Election to 05 Municipal Councils

namely Mapusa, Margao, Mormugao, Sanguem & Quepem to the following workers who are entitled to vote for the aforesaid elections namely:-

- (i) industrial workers of the State of Goa;
- (ii) daily wage workers of the Government Departments and State Government Industrial Departments;
- (iii) commercial and industrial workers of private establishments in the State of Goa;
- (iv) workers of all private establishments;
- (v) daily wage/casual workers employed in any business, trade, industrial undertakings or any other establishments;
- (vi) workers of the institutions governed under the explanation to Section 25 of the Negotiable Instrument Act, 1881 (Act 26 of 1881).

The aforesaid paid holiday shall be in addition to the holidays indicated in the Government Notification No. 37/3/2020-GAD-III/1868 dated 09-11-2020, published in the Official Gazette, Series II No. 33 dated 12-11-2020, to the workers and establishments as detailed above.

By order and in the name of the Governor of Goa.

Shripad Arlekar, Under Secretary (GA-I).

Porvorim, 20th April, 2021.

Notification

No. 2/1/2017-GAD-III/141

In pursuance of sub-section (1) of Section 40A of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) and the 'Explanation' to Section 25 of the Negotiable Instrument Act, 1881 (Act 26 of 1881) read with the Notification No. U-11030/2/73-UTL dated 28-06-1973 of the Government of India, Ministry of Home Affairs, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (ii), the Government of Goa hereby declares Saturday, the 23rd April, 2021 (Vaisakha 3, Saka 1943) as a "paid holiday" being the "Polling Day" for Bye-election to Ward No. II of Village Panchayat, Karapur-Sarvan in Bicholim Taluka and Ward No. IV of Village Panchayat, Velim in Salcete Taluka-2021 to the following workers, who are entitled to vote for the said Bye-election namely:-

- (i) industrial workers of the State of Goa;
- (ii) daily wage workers of the Government Departments and State Government Industrial Departments;

- (iii) commercial and industrial workers of private establishments in the State of Goa;
- (iv) workers of all private establishments;
- (v) daily wage/casual workers employed in any business, trade, industrial undertakings or any other establishments;
- (vi) workers of the institutions governed under the explanation to Section 25 of the Negotiable Instrument Act, 1881 (Act 26 of 1881).

The aforesaid paid holiday shall be in addition to the holidays indicated in the Government Notification No. 37/3/2020-GAD-III/1868 dated 09-11-2020, published in the Official Gazette, Series II No. 33 dated 12-11-2020, to the workers and establishments as detailed above.

By order and in the name of the Governor of Goa.

Shripad Arlekar, Under Secretary (GA-I).

Porvorim, 20th April, 2021.

Corrigendum

No. 2/1/2017-GAD-III/173

Read: Notification No. 2/1/2017-GAD-III/141 dated 20-04-2021.

The word "Saturday, the 23rd April, 2021 (Vaisakha 03, Saka 1943)" appearing on sixth line of the first para of the above cited Notification, stands corrected to be read as "Friday, the 23rd April, 2021 (Vaisakha 03, Saka 1943)".

Rest of the contents of the aforesaid Notification remains the same.

Shripad Arlekar, Under Secretary (GA-I).

Porvorim, 22nd April, 2021.

Department of Home

(Foreigners & Citizenship Division)

Order

No. 4/7/2020-HD(F&CD)/OEAG/122

In exercise of the power vested under Rule 5 of the Rules and Regulations of the Overseas Employment Agency of Goa (Registered as a Society under the Societies Registration Act, 1860), the Government of Goa is pleased to re-constitute the

Executive Committee of the Agency as under, with immediate effect for the period of three years.

Sr. No.	Members	Designation
1.	Commissioner for NRI Affairs	Chairman.
2.	Secretary (Home) or his nominee	Vice-Chairman.
3.	Joint/Additional Secretary (Finance)	Member.
4.	Commissioner, Labour & Employment	Member.
5.	Director of Skill Development & Entrepreneurship	Member.
6.	Director of Accounts	Treasurer.
7.	Director for NRI Affairs	Member Secretary.

By order and in the name of the Governor of Goa.

Eshant V. Sawant, Under Secretary (Home-II).

Porvorim, 16th April, 2021.

Order

No. 4/7/2020-HD(F&CD)/OEAG/123

In exercise of the power vested under Rule 4 of the Rules and Regulations of the Overseas Employment Agency of Goa (Registered as a Society under the Societies Registration Act, 1860), the Government of Goa is pleased to re-constitute the General Body of the Agency as under, with immediate effect for the period of three years.

Sr. No.	Members	Designation
1	2	3
1.	Commissioner for NRI Affairs	Ex officio Chairman.
2.	Secretary (Home) or his nominee	Vice-Chairman.
3.	Secretary to Government (Higher & Tech. Education)	Member.
4.	Secretary to Government (Labour)	Member.
5.	Secretary to Government (Ports)	Member.
6.	Joint/Addl. Secretary (Finance)	Member.
7.	Director of Higher Education	Member.
8.	Director of Technical Education	Member.
9.	Commissioner, Labour & Employment	Member.

1	2	3
10.	Director of Skill Development & Entrepreneurship	Member.
11.	Supdt. of Police, Bureau of Immigration	Member.
12.	Regional Passport Officer, Goa	Member.
13.	Representative from Government of India, Ministry of External Affairs, OIA-I/OIA-II), New Delhi (Not below the Rank of Under Secretary)	Member.
14.	Representative from Directorate General of Shipping in Goa	Member.
15.	Shri Shailesh Pai, Santa Cruz, Goa	Member.
16.	Shri Tulsidas Madkaikar, Mercas, Goa	Member.
17.	Director of Accounts	Member.
18.	Director for NRI Affairs	Member Secretary.

By order and in the name of the Governor of Goa.

Eshant V. Sawant, Under Secretary (Home-II).
Porvorim, 16th April, 2021.



Department of Labour

Notification

No. 24/8/2004-LAB/193

Read: Government Notification No. 22/15/2005-LAB/474 dated 29th June, 2017, published in the Official Gazette, Series II No. 14 dated 06-07-2017.

In exercise of the powers conferred by sub-section (1) of Section 20 of the Goa Labour Welfare Fund Act, 1986 (Act 4 of 1987) (hereinafter called the "said Act") and in the supersession of the Government Notification No. 24/8/2004-LAB/12 dated 02-01-2019, published in the Official Gazette, Series II No. 41 dated 10-01-2019 and in partial modification of Government Notification cited above. Government of Goa, hereby appoints the Deputy Labour Commissioner, North Goa, as Secretary of the Goa Labour Welfare Board for the purposes of the said Act, with immediate effect.

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).
Porvorim, 15th April, 2021.

Notification

No. 28/2/2021-LAB/Part-II/190

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 25-03-2021 in Appl. No. 04/2016 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Labour).
Porvorim, 15th April, 2021.

IN THE INDUSTRIAL TRIBUNAL AND LABOUR COURT

GOVERNMENT OF GOA
AT PANAJI

**(Before Mr. Vincent D'Silva, Hon'ble Presiding
Officer)**

Appl. No. 04/2016

Shri Anand B. Shirodkar,
Godgachi Wade,
Vazare, Dodamarg,
Maharashtra-416 512.
V/s

... Applicant/ Party I

M/s. S. P. Enterprises,
C/o. Shri Sunil Pal,
Chavata Wada,
Bordem,
Bicholim-Goa-403 722

... Opponent/Party II

Applicant/Party I represented by Adv. Tarzan De Costa.

Opponent/Party II represented by Adv. P. Chawdikar.

AWARD

**(Delivered on this the 25th day of the month of
March of the year 2021)**

This is an application filed by the Applicant/ Party I under Section 2-A read with Section 25-T of the Industrial Disputes Act, 1947 (for short, The Act).

2. In short, the case of the Party I is that he is a workman of Party II who is involved with the business of providing and supplying labourers/ workers to various Companies in the State of Goa. The Party I was deputed by Party II in the company known as M/s. Nestle India Ltd., having its factory at Maulinguem, Bicholim. The Party I was working as a Helper in the said Nestle Company from the date of deputation till the date of suspension and

had worked for almost 8 years diligently, sincerely and honestly in the interest of Party II and said Nestle Company. The Party I had never been issued with any charge-sheet nor any memo during his tenure of service. The Party I was issued a charge-sheet cum suspension order cum Notice of Inquiry dated 23-08-2013 for the first time by Party II on false allegation that he committed acts of misconduct contemplated under Service Rules applicable to Party I and was further placed under suspension with immediate effect.

3. An Enquiry Officer was appointed to hold the enquiry in the said charges and it took about almost two years to complete the enquiry before the Enquiry Officer. The Party I participated in the said Enquiry and the Enquiry Officer on 07-11-2015 submitted his Enquiry Report to Party II giving his findings. The Party II thereafter issued a show cause notice dated 14-11-2015 to Party I calling upon him to file a reply and upon receipt of the show cause notice and the enquiry report in November, 2015, the Party I submitted his reply to Party II and notwithstanding the receipt of the reply, the Party II till date has not passed any order in the disciplinary proceedings initiated against Party I and also stopped paying subsistence allowance. The Party I was forced to write a letter dated 02-03-2016 calling upon Party II to pay the subsistence allowance and only when the Labour Commissioner questioned Party II about non-payment, the Party II paid arrears of subsistence allowance. The enquiry proceedings initiated against Party I has been concluded long back in the year 2015, however till date, the Party II has not passed any order in the said enquiry.

4. The Party II deliberately and intentionally delayed passing of the order in the said disciplinary proceedings as Party II is well aware that there is absolutely no material to dismiss Party I from the service. The present enquiry initiated against Party I is as a result of participation of Party I in the formation of Trade Union of contract workers in the Nestle India Company of which he is the President. The Party II was always against the formation of the Trade Union by the contract workers. The withholding of the passing of the final order, as also keeping the Party I under suspension without any reason is against the provision of Service Rules in the matter of domestic inquiry. The Party I is unemployed since the date of suspension and does not have any source of income. The act of Party II in not pursuing the matter amounts to harassment, victimization and causing great prejudice to

Party I mentally as well as physically. It is well settled principle of law that an enquiry has to be conducted in due compliance of principles of natural justice, good conscience and equity and the proceedings have to be concluded expeditiously without unnecessary delay within reasonable time. The Party I therefore has no other remedy then to approach the Tribunal for necessary reliefs, hence, the application.

5. The Opponent/Party II filed a Written Statement inter-alia contending that the present application cannot be construed as an industrial dispute as defined under Section 2(k) of the Act. The present application is pre-mature and therefore not maintainable. The Inquiry Officer appointed by Party II afforded fullest opportunity to both the Parties in the interest of justice and fair play. The Party I is regularly getting his subsistence allowance till date. No order was passed as the matter was under discussion for amicable settlement before the Labour Commissioner which is still pending for discussion. The Party I is not entitled for any relief.

6. The Party I filed a Rejoinder at Exhibit 8 denying the case put forth by Party II in the written statement.

7. Issues framed at Exhibit 9 are as follows:

- 1) Whether the Party I proves that no orders have been passed by the Party II till date concluding the disciplinary proceedings against Party I, thereby vitiating the entire enquiry proceedings?
- 2) Whether the Party I proves that there exists 'Industrial Dispute' between the Parties in terms of Section 2(k) of the Industrial Disputes Act, 1947?
- 3) What relief? What Award?

8. In the course of evidence, the Party I, Shri Anand Shirodkar examined himself and produced on record his Affidavit-in-Evidence at Exh. 13, a copy of charge-sheet cum suspension order cum notice of enquiry dated 23-08-2013 at Exh. 14, a copy of enquiry report dated 07-11-2015 at Exh. 15, a copy of show cause notice dated 14-11-2015 at Exh. 16, a copy of reply dated Nov., 2015 filed by the Party I at Exh. 17, letter dated 02-03-2016 for non-receipt of subsistence allowance at Exh.18, a copy of application/ /complaint dated 04-08-2016 at Exh. 19, a copy of minutes of the meeting dated 19-11-2015 at Exh. 20, a copy of certificate of Registration of Trade Union dated 13-02-2013 along with Schedule-1 at Exh. 21. The Party II did not lead any evidence.

9. Heard arguments. Notes of written arguments came to be placed on record by the parties.

10. I have gone through the records of the case and have duly considered the submissions made by the learned advocates for Parties. My findings on the above issues are as follows:

Issue No. 1	...	In the Affirmative.
Issue No. 2	...	In the Affirmative.
Issue No. 6	...	As per Final Order.

REASONS

Issue No. 1:

11. Learned Advocate Tarzan De Costa has submitted that the Management has not issued any Memo nor given any complaint against Party I during his tenure of last 8 years of service. The Party II and other contractors were never in favour of Trade Union of contract workers. The Party I was the President of Nestle Contract Workers' Union. The Party II suddenly issued a charge-sheet cum suspension order cum notice of inquiry dated 23-08-2013 to Party I for committing alleged offences in the factory premises of M/s. Nestle India Ltd. and during the inquiry proceeding subsistence allowance was paid. The Inquiry Officer concluded the domestic inquiry and submitted his report and findings to Party II on 07-11-2015 however, the Party II did not pass any orders till date on the said report and findings and instead Party II continued to pay subsistence allowance to Party I even though subsistence allowances should only be paid during the inquiry proceedings u/s 10-A of the Industrial Employment (Standing Orders) Act, 1946. The Party I has been illegally kept under indefinite suspension and has also not been re-instated in service and paid wages. The Party I is deprived of alternate employment and is victimized by Party II. He further submitted that the employee cannot be kept under suspension indefinitely forever and in support thereof, he relied upon the cases of (i) **Ch. Sri Lakshmi v/s Executive Officer, Sri Durga, 2002 (4) ALD 761** and (ii) **Venugopal Reddy K. v/s Managing Director, Nizam Sugars, (2003) ILLJ 278 AP.**

12. Per contra, Learned Advocate P. Chawdikar for the Party II has submitted that the Party I has been paid subsistence allowances till date and that no order was passed in his matter as the matter was under discussion for amicable settlement before the Commissioner of Labour which was duly attended by Party I, his representative as well as representative of Party II. There were discussions for amicable settlement going on between Party II before the Commissioner of Labour. The Party II

has not terminated the services of Party I and had continued paying the subsistence allowance. The Party I in haste and without following due process of law has filed the present application before the Court which is premature, non-maintainable and deserves to be rejected.

13. Admittedly, the Party I was issued a charge-sheet cum suspension order cum notice of inquiry dated 23-08-2013 for allegedly committing offences and misconducts in the factory premises of M/s. Nestle India Ltd. and thereafter the Party II conducted a domestic inquiry through Inquiry Officer who submitted his report and findings to Party II on 07-11-2015. There is no dispute that Party II did not pass any order till date on the said report and the findings. The Party I in the cross examination has admitted that the issue of charter of demands filed by their Union was pending before the Labour Commissioner. However, the contention of Learned Advocate Chawdikar for Party II that the matter was under discussion for amicable settlement before the Labour Commissioner is de hors record nor it can be a justification for not passing any order on the report and the findings of the Inquiry Officer.

14. The case of Party II that they were paying the subsistence allowances till date also cannot be a ground for not passing the order on the report/ findings, more particularly when the subsistence allowance should only be paid during the inquiry proceedings u/s 10-A of the Industrial Employment (Standing Orders) Act, 1946. Moreover, under the Industrial Employment (Standing Orders) Central Rules, 1946, it is the duty of Party II to pass an order after receiving the report and findings of the inquiry proceedings. It is also enjoined upon the Party I under Rule 14(4)(bc) of the Industrial Employment (Standing Orders) Central Rules, 1946, the inquiry proceedings shall be completed within a period of three months, however in the present case, the inquiry proceedings took more than two years to complete. It is also under Rule 14(4)(c) of the Industrial Employment (Standing Orders) Central Rules, after the conclusion of the inquiry, the Employer shall pass an order accordingly. No such order has been passed by the Party II till date. The Party I has been illegally kept under indefinite suspension and has also been deprived of alternate employment as he is under suspension. It is also well settled in the case of **Sri Lakshmi**, supra that an employee cannot be kept under suspension indefinitely forever. It is also well settled that if the inquiry could not be completed for any reason, the employee cannot be kept under suspension ad infinitum. It is therefore the action of Party II of not

passing any order after concluding the disciplinary proceedings against Party I is bad-in-law and ab initio void thereby vitiating the entire inquiry proceedings. The Party I having proved the above issue, the same is answered in the affirmative.

Issue No. 2:

15. Learned Advocate Shri P. Chawdikar has submitted that the present matter is not an industrial dispute as it does not fall within the ambit of Section 2(k) of the Industrial Disputes Act and that the present dispute has to be rejected as the same is premature and filed without following due process of law. He further submitted that Section 2-A and Section 2-T of the Industrial Disputes Act are not applicable as the Employer has not discharged, dismissed, retrenched or otherwise terminated the services of the Party I workman nor the Party II has committed unfair labour practices. The Party I is still on the rolls of Party II as his services are not terminated till date and therefore present dispute is not maintainable.

16. Per contra, Learned Advocate T. De Costa has submitted and rightly so that the Party I had raised an industrial dispute u/s 2(k) of Industrial Disputes Act before the Commissioner of Labour on 04-08-2016 and since no settlement took place on the dispute raised before the Conciliation Officer, the Party I preferred the present application for breach of the Industrial Employment (Standing Orders) Act, 1946 as the Party II does not have certified standing orders of its own. The Party II has not completed the proceedings within a period of three months nor passed an order on the enquiry report and findings and therefore, the Tribunal has jurisdiction to decide upon the rules of discipline under item No. 8 of the Third Schedule of Industrial Disputes Act as also under unfair labour practices as stipulated under the Fifth Schedule of the Act. Industrial Disputes under Section 2(k) of the Act means 'any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person. The Party II has illegally kept Party I under indefinite suspension and has not been re-instated in service nor paid his wages after the conclusion of the inquiry and the findings of the Inquiry Officer nor passed any orders on the said findings thus depriving the Party I of alternate employment and awarding him undue punishment.

17. The Party I therefore has rightly filed the application before the Tribunal under Section 2(k) of the Act as the Industrial Tribunal has powers to interpret and adjudicate upon the Industrial Employment (Standing Orders) Act, 1946 and also on matters covered by Standing Orders. The jurisdiction of the Industrial Tribunal under the Act to adjudicate upon the matters covered by the Standing Orders, has not been, in any manner, abridged or taken away and it is always open for the Union to raise an 'Industrial Dispute' as that expression is defined in Section 2(k) of the Act and if the dispute is raised for adjudication, the Industrial Tribunal will have jurisdiction to adjudicate, upon the same. The Standing Orders by itself gives a right and a remedy to the individual workman to get his grievance adjudicated before the Industrial Tribunal as held in the case of **Management of the Bangalore Woolen, Cotton and Silk Mills Co. Ltd. v Workmen and Another, AIR 1968 SC 585** and therefore the submission of Learned Advocate P. Chawdikar for Party II that there does not exist industrial dispute between the Parties in terms of Section 2(k) of the Industrial Disputes Act cannot be accepted having any merits. It is therefore the above issue is answered in the affirmative.

Issue No. 3:

18. The Applicant/Party I has proved that the entire inquiry proceeding is vitiated as no orders have been passed by Party II on the inquiry proceeding even after the findings were given by the Inquiry Officer. The Party I has been kept illegally under indefinite suspension which is not justified thus violating provisions of the Third and the Fifth Schedule of Industrial Disputes Act which protects the workman against victimization and contravention of the rules of discipline. The suspension of Party I by Party II is therefore non-est and hence, Party I is deemed to have been in regular employment with Party II and therefore, the Party I is entitled for the reliefs prayed for including reinstatement in service, back wages and continuity in service. It is therefore above issue is answered accordingly.

19. In the result, I pass the following:

ORDER

- i. The application filed by Party I workman stands allowed.
- ii. It is hereby held that the suspension order passed by Party II against Party I is bad in law, illegal and non-est.

- iii. The Party II is directed to reinstate Party I in the service with full back wages from the date of suspension till reinstatement, except the amount already paid by way of subsistence allowance and continuity in service.
- iv. The Party II is directed to deposit back wages before the Tribunal as stated above within 60 days of the publication of the Award, failing which the Party II shall pay an interest @ 9% per annum.
- v. Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Inspectorate of Factories and Boilers

Notification

No. VI/FAC-3/(GOA/756)Part/2020-IFB/166

In exercise of the powers conferred by the proviso to Clause (b) of sub-section (1) of Section 66 of the Factories Act, 1948 (Central Act No. 63 of 1948) (hereinafter called the "said Act"), the Government of Goa hereby varies the limits laid down in said Clause (b) of sub-section (1) of Section 66 of the said Act in respect of employment of women in the factory, namely, M/s. IFB Industries Limited, Plot No. L-1, Verna Industrial Estate, Verna, Salcete, Goa thereby authorising the employment of women in the said factory between the hours of 7 p.m. and 10 p.m., for a period of two years with effect from the date of publication of this notification in the Official Gazette.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector & ex officio Joint Secretary (Factories & Boilers).

Panaji, 20th April, 2021.

Department of Law & Judiciary

Law (Establishment) Division

Addendum

No. 5/3/2015/LD-Estt/807

Read: 1) Order No. 5/3/2015/LD-Estt./634 dated 19-03-2020.

- 2) Addendum No. 5/3/2015/LD-Estt./1284 dated 29-07-2020.
- 3) Addendum No. 5/3/2015/LD-Estt./1508 dated 24-09-2020.

In the above referred order and subsequent Addendums, the name of Adv. Vibhav Amonkar is added at Sr. No. 13 for representing the State of Goa in Mahadayi matter before the Hon'ble Supreme Court of India, New Delhi and Mahadayi Water Disputes Tribunal at New Delhi.

This issues with the approval of the Government.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).
Porvorim, 15th April, 2021.

Department of Panchayati Raj & Community Development

Directorate of Panchayats

Corrigendum

No. 15/2/DP/EST/AE-Promotion/2018/2989

Read: Order No. 15/2/DP/EST/AE-Promotion/2018/5639 dated 20-08-2020.

In the above referred order in 7th para in third line the date of Government approval effected vide U.O. No. 4687/F shown as 04-08-2020 may be deleted and read as 08-08-2020.

The other contents of the said order remains the same.

By order and in the name of the Governor of Goa.

Siddhi T. Halarnakar, Director & ex officio Joint Secretary (Panchayats).

Panaji, 19th April, 2021.

Department of Personnel

Order

No. 6/28/2016-PER/998

In exercise of the powers conferred under Rule 43 of the Goa Civil Service Rules, 2016 (hereinafter to be called as said Rules), the Government in consultation with the Goa Public Service Commission, hereby relaxes Rule 38 of the said Rules, to consider the crucial date of eligibility for the appointment of the following Selection Grade

Officers of Goa Civil Service to the Senior Administrative Grade from the date of completion of the requisite service in the Selection Grade instead of 1st April as provided under Rule 38 of the Rules:

Sr. No.	Name of the Officer
1.	Shri Dattaram G. Sardessai.
2.	Shri Arvind Bugde.
3.	Shri Levinson J. Martins.
4.	Shri Sunil P. Masurkar.

This issues with the approval of the Goa Public Service Commission conveyed vide letter No. COM/II/11/42(6)/2016/53 dated 12-04-2021.

By order and in the name of the Governor of Goa.

Vishal C. Kundaikar, Under Secretary (Personnel-I).

Porvorim, 15th April, 2021.

Notification

No. 22/15/2017-PER/987

In pursuance of Rule 7 of the Goa Police Service Rules, 1997, and all other powers enabling it in this behalf, the Government of Goa hereby notifies the Syllabus for the Competitive Examination for direct recruitment to the Goa Police Service, as stated in the Schedule hereto.

These Rules are issued in consultation with the Goa Public Service Commission vide its letter No. COM/I/25/88/30 dated 07-04-2021.

By order and in the name of the Governor of Goa.

Maya Pednekar, Under Secretary (Personnel-II).

Porvorim, 12th April, 2021.

SCHEDULE

Syllabus for Competitive examination for direct recruitment to the post of Junior Scale Officer (Deputy Superintendent of Police) of Goa Police Service.

Part A: General Intelligence, Reasoning and Numerical Aptitude.

Part B: Basics of Indian Constitution, Governance and Administration.

This component is aimed at testing the candidate's knowledge and aptitude on issues and themes relating to Indian Constitution, Governance and Administration. On the Constitution, the candidate must be familiar with the key provisions

of the Constitution having a direct linkage to the functioning of the Indian Democracy and also the debates surrounding Constitutional Reform/Amendment. With reference to Governance and administration, he/she must be familiar with the role of bureaucracy, central, state and local level governance mechanisms (with reference to India and the State of Goa), fundamentals of good governance and emerging issues in society-bureaucracy interface. The select themes shall include:

- Indian Constitution: Preamble, Fundamental Rights, Fundamental Duties, Directive Principles of State Policy.
- Indian Constitution and the State: Legislature, Executive, Judiciary.
- Centre State Relations, Union, State and Concurrent Lists, Budgetary Allocations, Role of Finance and Planning Commissions.
- Elections and Electoral Process, Central and State Election Commissions, Representation of People's Act.
- Role of Bureaucracy in Nation building, Civil Services Training, C.C.S. Rules, Integrity in Administration, Public Private Partnership.
- Good Governance: Efficiency, Transparency, Accountability in Governance, Right to Information, Role of Lokayukta and Lokpal.

Part C: General Knowledge and Current Affairs.

This component is intended to test the candidate's awareness and knowledge on general issues of both historical and contemporary nature relating to India and the State of Goa. The questions aim at testing both the factual as well as the analytical grasp of the candidate on such issues without actually testing deeper knowledge on the subject. It may contain questions on history, geography, culture, scientific developments and current affairs. The select themes shall include:

- Current Events of State, National and International Importance.
- India's Freedom struggle, Goa's Freedom struggle.
- Physical, Economic and Social Geography of India and State of Goa.
- Religion, Customs and Festivals: India and State of Goa.
- Information and Communication Technology, Biodiversity, Environment and Climate Change.
- Social Movements: Corruption, Environment, Women's issues.

Part D: English Comprehension.

Notification

No. 22/6/2018-PER/1063

In exercise of the powers conferred by Rule 16 of the Goa Police Service Rules, 1997, the Government of Goa, in consultation with the Goa Public Service Commission conveyed vide their letter No. COM/I/25/88/59 dated 15-04-2021, hereby specifies the training and departmental examination for the candidates appointed to the post of Junior Scale officer in the Goa Police Service under Rule 5 of the said Rules, as follows, namely:-

1. Training and Departmental Examination:-**(A) For direct recruits on probation**

- (i) Every candidate selected and appointed to the post of Junior Scale Officer in the Goa Police Service (hereinafter called as "Probationer") shall attend training for a period of twelve months at such Police Academy/Training College as may be decided by the Government. The training shall be conducted as per the syllabus of such Police Academy/Training College.
- (ii) After completion of the above twelve months training, the Probationer shall attend forty-five days departmental training at GIPARD. The Probationer shall answer a departmental examination conducted by the GIPARD before completion of the fifteenth month from the date of his/her appointment. The Probationer who do not clear this examination shall again answer the examination which shall be conducted by GIPARD before completion of the eighteenth month from the date of appointment of such Probationer, failing which, a last opportunity shall be given to such Probationer to answer the examination which shall be conducted by the GIPARD before completion of the twenty-third month from the date of appointment of such Probationer. The Probationer, who fails to clear the said examination even after the three attempts, shall be considered as being unable to complete the probation period successfully and his services shall be terminated forthwith.

(B) For promotees on probation:-

- (i) Every Officer promoted to the post of Junior Scale Officer of the Goa Police Service shall attend training for a period of forty-five days at GIPARD and after completion of the said training, he/she shall answer a departmental examination conducted by the GIPARD.

- (ii) The Officer who fails to clear the departmental examination in a first attempt shall be given another opportunity to appear for the examination after a period of six months. The Officer who does not clear the examination even after two attempts shall be given a last opportunity to answer the departmental examination after a period of six months. The Officer who fails to clear the said examination even after the three attempts shall be considered as being unable to complete the probation period successfully and he shall be reverted back to his original position from where he was promoted to the post of Junior Scale Officer.

2. Syllabus.— The syllabus for forty-five days departmental training a departmental examination conducted by GIPARD shall be as specified in the Annexure appended hereto.

3. Passing Percentage.— A candidate shall be declared as passed in the departmental examination if he secures a minimum of 45% of the total marks in each paper.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Maya Pednekar, Under Secretary (Personnel-II).

Porvorim, 20th April, 2021.

ANNEXURE**A. Syllabus for Training and Departmental Examination of Junior Scale Officers of Goa Police Service (on probation)****1. The Goan ethos, basic principles of Goa and General Studies.**

- (i) **The Ethos of Goa**— Its geography, ecology, society, social relations, policy, economy, cultural, heritage, both historical and current, its relationship with the Indian mainstream, current political, socio-economic developments.
- (ii) **Concepts of Governance in Constitutional democracy**— The legislature, executive, judiciary, checks and balances, broad constitutional mandates in a democracy, organizational structure of Government, essentials of public administration, features of bureaucracy, human rights, the relationship between bureaucracy and democracy, value in administration and work ethics, practice of integrity, ethics, administrative reforms and values,

relationship and attitudes with political leaders and elected representatives, local bodies, civil society, Non Governmental Organisations (NGOs), pressure groups, media, judiciary, legislature, regulatory and watchdog bodies, business and industry, private sector and public sector, public sector undertakings, public private partnership (PPPs), special purpose undertaking (SPU), outsourcing, good governance and its principles and practices.

- (iii) **Basic Management Concepts**– Organisational behavior and culture, leadership styles and attitudes, communication, interpersonal skills and techniques, conflict resolution, consensus building, personality development and needs, change management.
- (iv) **Contemporary management practices in Government**:- In organization behavior, time management, planning and implementation, data management, innovation, project management, income tax.

II. The Legal Structures and Police Administration (Part A):

- (i) **The Constitution of India**– Preamble, Part I, Part II, III, IV, V, VI, IX, IXA, distribution of legislative powers (Part XI) taxation provisions (Part XII), XIV, XVIII amendments to the Constitution and Special provisions.
- (ii) **Law and Order**– The Code of Criminal Procedure, 1973, Evidence Act, 1973, Code of Civil Procedure 1908, Police Act 1861, relevant provisions of the Indian Penal Code, 1860.
- (iii) **Other Acts related to Police functioning**– The Police Act, 1861, The Unlawful Activities (Prevention) Act, 1967, The Prevention of Damage to Public Property Act, 1984, The Public Gambling Act, 1967, Immoral Traffic (Prevention) Act, 1988, The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, The Arms Act, 1959, The Narcotics Drugs and Psychotropic Substances Act, 1985, The Probation of Offenders Act, 1958, The Prevention of Corruption Act, 1988, The Official Secrets Act, 1923, Law relating to Human Rights Act, 1993.
- (iv) **Crime prevention, Police records Registers and maintenance of public peace and order**– Criminology, concepts of criminological

psychology, concepts of prevention of crime methods and strategies, beat system in urban and rural areas, crime beats planning deployment, patrols and pickets, beat checking and supervision, supervision over crime prevention measures and optimisation of resources, prevention of dacoits and robberies and prevention of organized crime.

III. The Legal Structures and Police Administration (Part B):

- (i) **Police organization**– Police service matters and conduct rules.
- (ii) **Investigation and Trial methods and Skills**– Registration of First Information Report (FIR) and its importance, scene of crime and its preservation, plan drawing, collection of evidences and securing help of experts, search and seizure and recovery of property, general principles of investigation, multi disciplinary approach, role of intelligence in investigation, examination of witnesses and recording of statements, writing of case diaries, interrogation of suspects and accused, arrest of accused, remand and bail provisions, identification parade and its importance, enquiries and co-ordination with other police stations, investigation of offences against body and property, investigation of Offences relating to documents and coins.
- (iii) **Investigation supervisions**– Monitoring and reporting status of investigation, Management Information System.
- (iv) Forensics and use of technology, economic offences, Information Technology Act, 2000, Cybercrime, etc.

IV. Special Legislations:

- (i) **Anti-Corruption Laws**– The Prevention of Corruption Act, 1988, The Lokayukta Act, 2013, and any other relevant current legislation.
- (ii) **Accountability legislations**– The Right to Information Act, 2005, The Right of Citizens to Time Bound Delivery of Public Services Act, 2013.
- (iii) **Local self-government/local bodies laws**– The 73rd & 74th Constitutional Amendments, the Goa Panchayati Raj Act, 1994 and Rules thereunder, the Goa Municipalities Act, 1968 and the Corporation

of City of Panjim Act, 2002 and Elections, Solid Waste Management Rule, 2016, the Goa Non- Biodegradable Garbage (Control) Act, 1997 and amended from time to time.

- (iv) **Legislations relating to Women, Children and Senior Citizen**– the Right to Education Act, 2009, the Protection of Children from Sexual Offences Act, 2012, the Goa Children Act, 2003, the Domestic Violence Act, 2005 and any other relevant current legislation, the Persons with Disability Act, 2016, Maintenance and Welfare of Parents and Senior Citizens Act, 2007, Mental Health Care Act, 2017 and any other relevant current legislations.

- (v) **Environmental & Forest Laws**– Environment Protection Act, 1986, Air Act, 1981, Water Act, 1974, Forest Conservation Act, 1980, Wildlife Protection Act, 1972 and related legislations.

- (vi) **Election Laws**– The Representation of People of India Act, 1950/1951 and Rules framed thereunder, Election Commission of India (ECI), election procedures, processes and guidelines.

V. Administrative and Financial skills in Government:

- (i) **The Mechanisms of Government**– Rules of Business in Government of Goa, 1991, Rules of Legislative Assembly and procedures, Manual of Office procedure.
- (ii) **Human Resource Management**– Recruitment Rules, and Establishment, Probation, Confirmation, Maintenance of rosters, Central Civil Service (Conduct) Rules, 1964, Central Civil Service (Classification Control and Appeals) Rules, 1965, Disciplinary and Appeal Rules, service records, seniority, promotions and Departmental Promotional Committee (DPCs), leave rules, superannuation and pension benefits including National Pension Scheme (NPS).
- (iii) **Practices and procedures**– Record Management and disposal of records, noting and drafting, cabinet notes, presentation skills and computer applications, conduct of meetings and protocol.

- (iv) **Sources of revenue**– Working of Finance Department and Treasury in Financial management of the State.

- (v) **Financial Rules**– The General Financial Rules, 2017 (as amended from time to time), Fundamental Rules and Supplementary Rules, the Goa Delegation of Financial Power Rules, 2008, different types of bills, duties and powers of Drawing and Disbursing Officers.

- (vi) **Tendering procedures and e-procurement.**

- (vii) **Audit process in Government**– Role of performance audit and performance indicators, Comptroller and Auditor General of India (CAG), Public Accounts Committee, Public Undertaking Committee and Legislative audits.

VI. Contemporary issues in Governance:

Part - I:- Project work, Surveys, Department Studies, Assignments, Reports, Book Reviews, compulsory online course on COMMIT (a DOPT, GOI programme).

Part-II:- Topics in contemporary issues of Governance in Goa, viz–

- i. Sustainable Development Goals.
- ii. Environmental issues of land and water.
- iii. Tourism related issues.
- iv. Sustainable investment and industrial development.
- v. Waste management in Goa.
- vi. Coastal Zone Management.
- vii. Regional plans and land use.
- viii. Governance problems in Local Self Government bodies–Panchayats and Municipalities.
- ix. Health and hygiene issues in Goa.
- x. Demographics and population, migration issues.
- xi. Employment generation and the need for skilling.
- xii. Any other topic(s) of current interest.

Part-III:- Computer Skills in Government:

Excel, Power Point, Word, Email, Database application, Smartphone as a management tool, utilization of e-governance application, MIS Application like PFMS, e-DDO, Goa SPARROW, e-Assembly, etc.

B) Examination Pattern:

Paper	Subject	Marks	Duration
Paper - I	The Goan Ethos, basic principles of Goa and General Studies	100 marks (without books)	03 hrs.
Paper - II	Legal Structures and Police Administration (Part A)	100 marks (with books)	03 hrs.
Paper - III	Legal Structures and Police Administration (Part B)	100 marks (without books)	03 hrs.
Paper- IV	Special Legislations	100 marks (with books)	03 hrs.
Paper- V	Administrative and Financial Skills in Government	100 marks (with books)	03 hrs.
Paper- VI	Contemporary issues in Governance	100 marks (without books)	03 hrs.

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Department of Public Health

Order

No. 44/28/2017-I/PHD/800

Government is pleased to transfer the following doctor under Directorate of Health Services, with immediate effect:-

Sr. No.	Name of the Doctor of posting	Present place	Transferred and posted at
1	2	3	4
1.	Dr. Alden D'Souza, Medical Officer	PHC, Betki	Urban Health Centre, Panaji, vice Dr. Yogesh Govekar transferred and posted at PHC, Colvale.

Dr. Alden D'Souza shall continue to draw the salary against the post which he is presently drawing.

By order and in the name of the Governor of Goa.

Gautami Parmekar, Under Secretary (Health-II).

Porvorim, 16th April, 2021.

Corrigendum

No. 23/1/98-I/PHD/Part-I/785

Read: Memorandum No. 23/1/98-I/PHD/Part-I/2052 dated 24-06-2020.

In the Memorandum dated 24-06-2020 referred above, the details shown against Sr. No. 144 of Dr. Prajakta Amey Lotlikar, Medical Officer shall be substituted and read as under:-

Sr. No.	Name of the Doctor	Date of Appointment Order	Date of Joining	Date of Birth	Qualification
1	2	3	4	5	6
144.	Dr. Prajakta Amey Lotlikar	17-03-2016	29-03-2016	04-12-1990	MBBS.

Gautami Parmekar, Under Secretary (Health-II).

Porvorim, 12th April, 2021.

Department of Revenue

—
Order

No. 17/1/Fixation of Land Rates/2012-RD
(Part-I)/3074

- Read: 1) Order No. 17/2/Fixation of rates/2012-RD dated 01-01-2013 published in Official Gazette Series II No. 41 dated 10-01-2013.
- 2) Order No. 17/1/Fixation of Land Rates/2012-RD/6850 dated 05-08-2020 published in Official Gazette Series I No. 23 dated 13-08-2020.

The Government of Goa has vide the above cited Order dated 05-08-2020 has done away with the Special Committee constituted for determination of land value for area above 1.00 lakh sq. mts., in view of which the Order No. 17/2/Fixation of rates/2012-RD dated 01-01-2013, published in Official Gazette Series II No. 41 dated 10-01-2013 stands rescinded.

The above Order stand rescinded w.e.f. the date of publication of Order dated 05-08-2020.

By order and in the name of the Governor of Goa.

Isha M. Sawant, Under Secretary (Revenue-II).
Porvorim, 19th April, 2021.

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Notification

No. 28/4/8/2020-RD-I/8081

Read: Notification No. 28/4/8/2020-RD-I dated 04-01-2021.

In exercise of the powers conferred by Clause (a) of Section 35 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969), the Government of Goa hereby

exempts being of the opinion that, it is necessary in the public interest for the purpose of carrying out the objects of the said Code, hereby exempts the land admeasuring an area of 3,26,953.00 sq. mts., surveyed under Survey No./Sub-Div. No. 625/1, 627/0, 632/0 (part) and 633/0 (part) of Village Latambarcem, Taluka Bicholim, District North Goa, State of Goa, acquired by the Government vide the Government Notification No. 22/34/2013-RD dated 21st November, 2013, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act of 1894) and published in the Official Gazette, Series II No. 36 dated 5th December, 2013 for the purpose of setting up an industrial estate at Village Latambarcem of Bicholim Taluka, from the operation of the provisions of Sections 30, 32 and 33 of the said code. The payment of fees of Rs. 7,19,29,660/- (Rupees seven crore nineteen lakhs twenty nine thousand six hundred and sixty only) payable under the said code, for conversion of the land admeasuring an area of 3,26,953.00 sq. mts., surveyed under survey No. 625/1, 627/0, 632/0 part and 633/0 part of Latambarcem Village, Bicholim Taluka, District North Goa, State of Goa is subject to the condition that the said land shall be used exclusively for industrial purpose.

This issues with the concurrence of the Finance Department vide their U.O. No. 1400075974 dated 26-03-2021.

This supercedes the earlier Notification No. 28/4/8/2020-RD-I dated 04-01-2021.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).
Porvorim, 12th April, 2021.

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Department of Urban Development

Directorate of Municipal Administration

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Notification

No. 10/671/2015-DMA/170

The Government has constituted a Special Purpose Vehicle (SPV) in the name and style of Imagine Panaji Smart City Development Limited (IPSCDL) for operationalizing the Smart City Projects with Board of Directors (BoD) vide Notification No. 10/671/2015-DMA/658 dated 9th June, 2016, Notification No. 10/671/2015-DMA/2170 dated 26th October, 2017, Notification No. 10/671/2015-DMA/3683 dated 08th March, 2019, Notification No. 10/671/2015-DMA/4858 dated 14th October, 2020, Notification No. 10/671/2015-DMA/4830 dated 14th January, 2021 and Notification No. 10/671/2015-DMA/5282

dated 16th February, 2021. The Government of Goa hereby re-constitutes the Board of IPSCDL with, Ex Officio members as per designation given in column (2) in Table A below and Non Ex Officio members as given in Table B below:

TABLE A

Sr. No.	Designation	Name	IPSCDL Board Designation
1	2	3	4
1.	Chief Secretary, Government of Goa	Shri Parimal Rai, IAS	Chairman.
2.	Secretary (Finance), Government of Goa	Shri Puneet Kumar Goel, IAS	Director.
3.	Secretary (Urban Development), Government of Goa	Dr. Tariq Thomas, IAS	Director.
4.	Collector, North Goa	Shri Ajit Roy, IAS	Director.
5.	Commissioner, Corporation of the City of Panaji	Shri Sanjit Rodrigues, IAS	Director.
6.	Director/Addl. Secretary (Urban Development), Government of Goa	Shri Gurudas P. Pilarnekar	Director.
7.	Principal Chief Engineer, PWD, Government of Goa	Shri Uttam Parsekar	Director.

TABLE B

Sr. No.	Designation	IPSCDL Board Designation
1	2	3
1.	Shri Ravi Dhawan, IAS	Managing Director & CEO, IPSCDL.
2.	Shri Naveen Kumar Yadav, Director (Estate-II), Ministry of Housing & Urban Affairs, Government of India	Director.
3.	Shri Antanasio Monserrate, MLA, Panaji Constituency	Director.
4.	Shri Rohit Joe Monserrate, Mayor, Corporation of the City of Panaji	Director.

The Department of Urban Development/Directorate of Municipal Administration will issue notifications reconstituting the board in respect of Ex Officio Members of the Board as and when there is a change of the incumbents holding the posts and for the other members as per Government order from time to time.

This is issued in supersession of all earlier Notifications issued in this regard.

By order and in the name of the Governor of Goa.

Gurudas P. Pilarnekar, Director & ex officio Addl. Secretary (Municipal Administration/Urban Development).

Panaji, 19th April, 2021.

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